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IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, et al., ) Case No. C-07-04234-JW

Plaintiffs,

v.

STIPULATION TO DISMISS AND ORDER

PAUL J. SHOLTZ,

Defendant.

For the reason that defendant Paul J. Sholtz has complied with the Internal Revenue Service summonses at issue in this matter, it is hereby stipulated by and between plaintiffs and defendant, through the undersigned counsel, that this matter be dismissed with prejudice, each to bear their own costs and attorneys' fees.

JOSEPH P. RUSSONIELLO  
United States Attorney

/s/ Guyton Jinkerson  
GUYTON JINKERSON  
Attorney for Defendant Paul J. Sholtz

/s/ Thomas Moore  
THOMAS MOORE  
Assistant United States Attorney  
Tax Division  
Attorneys for Plaintiffs

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

The Clerk shall close this file.

Dated: October 22, 2008

  
UNITED STATES DISTRICT JUDGE